

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
Atlanta Division**

VICTORIA RENEE MCKOY  
AND DESIREE WRIGHT  
LOVINS, as individuals and as  
representatives of the classes,

Case No. 1:18-cv-03217-MLB

Plaintiffs,

v.

BIG PICTURE LOANS, LLC;  
MATT MARTORELLO;  
ASCENSION TECHNOLOGIES,  
LLC; DANIEL GRAVEL

Defendants.

\_\_\_\_\_ /

**MATT MARTORELLO'S MOTION TO DISMISS  
UNDER FED. R. CIV. P. 12(b)(6)**

Under Rule 12(b) of the Federal Rules of Civil Procedure, Matt Martorello moves to dismiss the First Amended Complaint for the reasons set out in the accompanying memorandum of law.

DATED: September 24, 2018

/s/ Cindy D. Hanson

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**LOCAL RULE 7.1 CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing pleading filed with the Clerk of Court has been prepared in 14 point Book Antiqua font in accordance with Local Rule 5.1(C).

This 24th day of September, 2018.

/s/ Cindy D. Hanson  
Cindy D. Hanson (GA Bar No. 323920)  
Cindy.hanson@troutman.com

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing *Motion to Dismiss Under Fed. R. Civ. P. 12(b)(6)* was electronically filed with the Clerk of Court using the CM/ECF system, which automatically serves notification of such filing to all counsel of record.

This 24th day of September, 2018.

/s/ Cindy D. Hanson

Cindy D. Hanson (GA Bar No. 323920)

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